

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

JAMES DOTSON,

PLAINTIFF,

VS.

CIVIL ACTION NO. 2:07CV132-P-B

REGIONS BANK,

DEFENDANT.

ORDER

This matter comes before the court upon Defendant Regions Bank's May 28, 2008 *ore tenus* motion to grant as confessed their Motion to Dismiss Due to Plaintiff James Dotson's Failure to Join Indispensable Party for the plaintiff's failure to respond. After due consideration of the motion, the court finds as follows, to-wit:

The defendant filed the instant motion on March 10, 2008. The plaintiff's response was due March 27, 2008. After the response deadline expired, on April 10, 2008 Magistrate Judge Bogen stayed this action until May 12, 2008 in order to allow the plaintiff time to retain counsel or to notify the court that he intended to proceed *pro se*. The stay expired on May 12, 2008 and the plaintiff notified the court on May 13, 2008 that he intended to proceed *pro se*. As of today, the plaintiff has not responded to the defendant's motion to dismiss – some seventeen days after the stay was lifted and two months after the response was due. The plaintiff has not sought additional time to respond to the motion.

IT IS ORDERED AND ADJUDGED that:

(1) Defendant Regions Bank's May 28, 2008 *ore tenus* motion to grant their Motion to Dismiss Due to Plaintiff James Dotson's Failure to Join Indispensable Party as confessed for failure to respond is **DENIED**; and

(2) The plaintiff has until June 20, 2008 by which to file his response to the defendant's Motion to Dismiss Due to Plaintiff James Dotson's Failure to Join Indispensable Party. In the event a response is not filed within the deadline, the motion will be granted as confessed pursuant to Uniform Local Rule 7.2(c)(2) and (3).

SO ORDERED this the 29th day of May, A.D., 2008.

/s/ W. Allen Pepper, Jr. _____
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE